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Serial Number: 09/185,994 U.S. Pat. No. 6,195,831 B1
Filed: 11/4/98 Issued: 3/6/01
Inventors: Devaney et al. Reexam Control No.: 90/006,224
For: **DISPLAY SCREEN CLEANING TOOL**

BOX REEXAM
Commissioner for Patents
Washington, D.C. 20231
Fax No.: 703-305-7719

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**COMBINED CERTIFICATE OF FILING BY
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Dear Sir/Madam:

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers enclosed herewith, are being facsimile transmitted to the U.S. Patent and Trademark Office (fax no.: 703-305-7719) on June 24, 2002.

Patent Owner's Statement and Attachment; and Combined Certificate of Filing By Facsimile And Proof of Service.

PROOF OF SERVICE

Pursuant to §§ 1.530(c) and 1.248, it is hereby certified that a copy of this Statement and all accompanying papers have been served, on the reexamination requester's representative at the address provided, by depositing the documents in an envelope bearing first class postage

FOLLOWS:

having substantially optical-grade non-abrasive characteristics

In claim 6, there is "an optical grade fabric having substantially non-abrasive characteristics with regard to display screen surfaces."

Note also that dependent claims 2-4, 7-9 and 12-14 further define optical grade characteristics, and/or recite leather, a chamois or a synthetic chamois.

The art submitted for this reexamination included two items, namely, literature on the Wacky Wiper™ product and the Ty Beanie Baby™ product. For purposes of this statement only, it is assumed that these are prior art. The Ty Beanie Baby™ product is essentially all one material and is not optical grade as defined in the claims. It is certainly not a chamois or a synthetic chamois. In fact, the Ty Beanie Baby™ was disclosed in the application itself. See, e.g., column 3, lines 18-22 of the specification.

The Wacky Wiper™ like the Ty Beanie Baby™, is essentially a single material and does not contain any optical grade as defined in the claims. In fact, the Wacky Wiper™ instructions (copy enclosed) submitted by Requester expressly state that the Wacky Wiper™ must be used by rubbing gently and by spraying a substantial amount of liquid on it:

Saturate the bottom of your Wacky Wiper with
Geekcessories™ squeaky clean screen cleaning solution. . .

* * *

Use the bottom of your Wacky Wiper to gently
wipe dust and lint from your computer screen. Do not
rub. (emphasis added)

The Wacky Wiper™ is of the same genre as products requiring sprays and as having abrasive qualities — see the prosecution history and background section of the specification. For example, the specification states that use of nonoptical grade may cause damage:

Employment of a non-optical grade “wiping rag”

material . . . may have deleterious effects

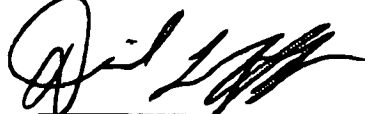
‘831 patent, column 1, lines 32-35.

Moreover, the Ty Beanie Baby™ and Wacky Wiper™ are not materially different from art of record, particularly because the Ty Beanie Baby™ was already disclosed. The Juarez patent, also of record, discloses a three dimensional animal for a cleansing product. In addition, the Smith and Merrion patents disclose eye glass cleaning material such as a chamois (Smith). After substantial prosecution, the existing claim language was provided. The independent claims are not directed to any material or any three dimensional animal or figure for use on a computer screen. They are directed to “optical grade” as recited therein. This is even more true of claims 2-4, 7-9 and 12-14.

In view of the above remarks, it is respectfully requested that the examiner confirm the patentability of all of the claims and a reexamination certificate be issued.

Respectfully submitted,

CISLO & THOMAS LLP



David L. Hoffman

Reg. No. 32,469

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CISLO & THOMAS LLP
233 Wilshire Boulevard, Suite 900
Santa Monica, California 90401-1211
Tel: (310) 451-0647
Fax: (310) 394-4477
www.cislo.com

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